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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**
4

5 UNITED STATES OF AMERICA

6 Plaintiff,

7 v.

8 ROY DEAN GRACE,

9 Defendant.


Case No. 2:96-CR-00075-KJD-LRL

ORDER

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11 Presently before the Court for consideration is Defendant's Motion to Vacate, Set Aside
12 or Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 (#244).
13 The current motion filed by Defendant represents the fifth post conviction petition filed
14 pursuant to 28 U.S.C. § 2255. Defendant has not received permission from the 9th Circuit
15 Court of Appeals to file a successive petition pursuant to 28 U.S.C. §2255.

16 Accordingly, **IT IS THEREFORE ORDERED** that Defendant Roy Grace's Motion
17 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody pursuant to
18 28 U.S.C. § 2255 (#244) is **DENIED**.

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20 DATED this 20th day of September 2016.

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24 Kent J. Dawson
United States District Judge
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